

REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the Office Action of September 22, 2006 is respectfully requested.

Claims 7-9, 13, and 14 are presently pending in this application. In this regard, the Examiner rejected the pending claims as being unpatentable over the Reid reference (US 6,716,334) in view of the Landau reference (US 6,261,433), and further in view of the Hongo reference (US 6,294,059); and rejected claim 13 as being unpatentable over the Reid reference in view of the Landau reference and further in view of the Hongo reference, and additionally in view of the Yamakawa reference (US 4,906,341). However, the Examiner is respectfully requested to withdraw these rejections for the following reasons.

As an initial matter, the Applicants note that the Hongo reference qualifies as prior art only under 35 U.S.C. § 102(e), and that the Hongo reference is assigned to Ebara Corporation as indicated on the cover sheet. In addition, the Examiner is requested to note that the specification has now been amended as noted above to clearly indicate that the subject matter as set forth in the present application was developed under a Joint Research Agreement between Ebara Corporation and Kabushiki Kaisha Toshiba, both of Japan (and the required processing fee under 37 CFR § 1.71(g)(2) has been submitted herewith). The Examiner is also requested to note that a statement under 35 U.S.C. § 103(c) has also been submitted herewith.

In view of the statement and amendment to the specification discussed above, it is submitted that the Hongo reference applied by the Examiner in the outstanding Office Action shall not preclude patentability of the presently-pending claims under 35 U.S.C. § 103(c). Thus, the Examiner is respectfully requested to withdraw the Hongo reference as prior art in the Examiner's obviousness rejections.

In view of the withdrawal of the Hongo reference as noted above, it is submitted that the Examiner's prior art rejections have been overcome. Because there are no further outstanding issues in the Office Action, it is submitted that pending claims 7-9, 13, and 14 are now clearly patentable over the prior art and in condition for allowance.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. However, if the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact the Applicant's undersigned representative.

Respectfully submitted,

Koji MISHIMA et al.

By: 

W. Douglas Hahm
Registration No. 44,142
Attorney for Applicants

WDH/ck
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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